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commendable, and though the work will undoubtedly be useful to the profession and the public, the work is by no means as well and carefully executed as it might have been.

HANDBOOK OF JURISDICTION AND PROCEDURE IN UNITED STATES COURTS. By Robert M. Hughes, M. A., of the Norfolk (Va.) Bar. Author of Handbook of Admiralty Law. St. Paul, Minn., West Publishing Co. 1904. pp. xviii. 634.

This is one of the late numbers of the Hornbook Series and follows the familiar style of type and spacing of those books. They are not designed to contain the refinements and qualifications of the subjects treated, and in this volume Mr. HUGHES disclaims any pretense of an exhaustive treatise. He should therefore perhaps not be justly criticized for most of his omissions, but there are several which seem to seriously impair the value of the book.

There is no table of statutes, nor are there any citations of any statute in connection with the history of former legislation (e. g. pp. 18, 19, 73, 95, 122). In many cases when mention is made of more recent statutes, for example, in the discussion of the Bankruptcy Act, there is no reference to the volumes of the Statutes at Large where the original law and its amendments can be found. Instead, the author there cites U. S. Com. Stat. 1901 and its supplements, referring we presume to a compilation of his publishers which is not generally used and has no official authority. The student who wishes to be able to point the original statutes needed must annotate the book himself and if the other publication is not in his library, as must often be the case, he will be put to a great annoyance. Similarly in the citation of cases in the Circuit and District Courts all that we have found prior to the Federal Reporter are cited not to the original reports but only to the West Publishing Company's collection of Federal Cases.

The space allotted to different subjects has no relation to their importance. Criminal practice, which not one student in a thousand will ever have occasion to use in the federal courts, has as much or more space than practice in equity, which is the subject upon which he requires the most assistance. Admiralty has but two pages with a footnote saying, "The jurisdiction of the admiralty courts is so extensive that it is impossible in this treatise to discuss it. Reference is made to the author's treatise on Admiralty, published in the year 1901."

The chapter on Habeas Corpus never mentions the most important practical question at the present time, the right of emigrants thus to procure a review of orders for their deportation.

The discussion on the subject of parties and indeed of every branch of equity practice seems inadequate. Amongst other defects we can find no mention of U. S. R. S. § 4920, which as construed requires that, unless certain defenses in patent suits are pleaded, no evidence will be admitted in their support.<sup>1</sup> There is no explana-

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<sup>1</sup> Feese v. Huntington, 23 How. 2; Bates v. Coe, 98 U. 31; Jennings v. Pierce, 15 Blatch. 82.

tion of the practice upon applications to the Supreme Court of the United States for certiorari.

Misstatements of the law, caused by loose generalities and even by a misunderstanding of the decisions, are also to be found. At p. 193, the author says, speaking of suits that can be brought in the Circuit Courts: "So too, a writ of prohibition would come within this term," citing *Weston v. Charleston*.<sup>1</sup> He, apparently, is ignorant of the distinguishing of that case in *Upshur v. Rich*,<sup>2</sup> which shows that the language of the opinion applies only to writs of error to the state courts and that the Circuit Courts have no jurisdiction over cases of that nature. At page 523 he says, when speaking of appeals from interlocutory orders granting injunctions and appointing receivers: "When a case is taken to the circuit court of appeals under this provision, the latter court has the power, in its discretion, to consider the whole case and enter a final decree in it, if it thinks the case one in which it should exercise this power." Those courts have this power only in a limited class of cases never when the order is affirmed, and not always when it is reversed.<sup>3</sup>

A TREATISE ON AMERICAN ADVOCACY, BASED UPON THE STANDARD ENGLISH TREATISE, ENTITLED HINTS ON ADVOCACY, BY RICHARD HARRIS. Alexander H. Robbins, Editor of the *Central Law Journal*. St. Louis: Central Law Journal Co. 1904. pp. xiv, 295.

In the preface to an early edition of *Hints on Advocacy*—"universally recognized," says Mr. ROBBINS, "as the greatest book of its kind published,"—the learned and agreeable writer, Mr. RICHARD HARRIS, K.C., congratulates himself that his little book had been reprinted in America, but intimated that he would have borne no grudge against the publishers if they had credited him with its authorship by printing his name on the title page. Should the present edition of "the Standard English Treatise" be called to the attention of Mr. HARRIS, we can well imagine him wishing that Mr. ROBBINS had followed the American precedent, or perhaps that the work and all of its editions had appeared anonymously.

The title of Mr. HARRIS' work "*Hints on Advocacy*" indicates that the author had in mind an agreeable book, which might offer to the beginner a series of hints, and a dozen successive editions show that the young advocate has indeed taken kindly to the work. Mr. HARRIS did not have in mind a scientific and exhaustive treatise; for the reason that one is either born an advocate, or that one only learns by a life time's experience how to conduct a case. The most that Mr. HARRIS could do was to give the reader some of the results of his personal experience, in an informal way, by hint or suggestion.

Not so Mr. ROBBINS—whose book becomes a *Treatise on American Advocacy*, based upon Mr. HARRIS' modest text—"enlarged, completely revised and Americanized" as the title page informs us. "The best features of the English book have been retained," to quote again

<sup>1</sup> 2 Peters 449.    <sup>2</sup> 135 U. S. 407.

<sup>3</sup> *Brill v. Peckham* M. T. & W. Co., 189 U. S. 557; *Highland Ave. & B. R. Co. v. Columbian Eq. Co.*, 168 U. S. 627.